

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO, EASTERN DIVISION

SHAWN THORPE, *ET AL.*,

Plaintiffs,

v.

WALMART STORES EAST, LP, *et al.*,

Defendants.

CASE NO. 5:16-CV-1247

JUDGE PEARSON

**REPORT OF PARTIES' PLANNING  
MEETING UNDER FED. R. CIV. P  
26(F) AND L.R. 16.3(B)(3)**

1. Pursuant to Fed. R. Civ. P 26(f) and L.R. 16.3(b), a meeting was held on July 11, 2016, and was attended by Stacie Roth, counsel for Plaintiffs Shawn Thorpe and Deonshai Millender (collectively "Plaintiffs") and Nicholas Resetar, counsel for Defendant Wal-Mart Stores East, LP ("Wal-Mart").

2. The parties recommend the following track: Standard

3. This case is suitable for one or more of the following Alternative Dispute Resolution ("ADR") mechanisms: Mediation and Summary Jury Trial.

4. The parties do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. §636(c).

5. Initial Disclosures:

Plaintiff made initial disclosures on July 11, 2016, and Wal-Mart made initial disclosures on July 9, 2016.

6. Subsequent Proceedings (for ERIS cases): Not applicable.

7. Subsequent Proceedings (for non-ERIS cases):

a) Recommended Discovery Plan: The parties will seek discovery regarding the allegations and potential damages alleged in Plaintiffs' Complaint, including whether Plaintiffs were falsely imprisoned, defamed, cast in a false light, and/or were subjected to emotional distress. The parties will utilize written discovery, up to and including, the number of interrogatories permitted under the Federal Rules of Civil procedure, up to fifty (50) requests for admission to each Plaintiff, and requests for production of documents as needed. The parties anticipate up to ten (10) depositions, including the Plaintiffs, Wal-Mart employees and representatives, and fact witnesses.

b) The parties do not anticipate discovery of electronically stored information. To the extent discovery of electronically stored information becomes required, the parties will adhere to Appendix K of the Local Rules for the United States District Court for the Northern District of Ohio.

c) The parties have not reached an agreement regarding the handling of disclosed privileged material.

d) Discovery cut-off date: February 1, 2017

e) Recommended dispositive motion date: March 1, 2017

f) Recommended cut-off for amending the pleadings and/or adding additional parties: October 1, 2016

g) Recommended date for Status Conference: December 1, 2016

Planning Statement

8. Other matters for the attention of the Court: Pursuant to the Court's Case Management Conference Scheduling Order [Doc. #7], Plaintiffs made written demand to Wal-Mart. In this regard, Wal-Mart will make a written response in accordance with the Court's Order.

Respectfully submitted,

/s/ Nicholas P. Resetar

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By: /s/ Stacie L. Roth (email consent 7/11/2016)

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**PROOF OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of July 2016, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/Nicholas P. Resetar

Bradley A. Wright  
Nicholas P. Resetar